

**THE CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY / PLANNING COMMISSION**

Madeira Beach City Hall, Patricia Shontz Commission Chambers

300 Municipal Drive, Madeira Beach, FL 33708

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May 1, 2023 - MINUTES

1. **CALL TO ORDER** Chairman Michael Wyckoff called the meeting to order at 6:00 p.m.

2. **ROLL CALL**

Members in Attendance:

Chairman Wyckoff

Commissioner Dillon

Commissioner Noble

Commissioner LaRue

Commissioner Ghovae

Commissioner Connolly

Members Absent:

Commissioner Meager

Staff Representatives:

Jenny Rowan, Community Development Director

Andrew Morris, Long Range Planner

Lisa Scheuermann, Program Coordinator/Board Secretary

3. **PUBLIC COMMENTS**

Chairman Wyckoff opened the floor to public comment on any topics not related to the agenda.

No residents came forward.

4. **APPROVAL OF MINUTES**

Commissioner Dillon made a motion to accept the minutes from the April 3, 2023 meeting.

Commissioner Connolly seconded the motion, and the motion passed unanimously.

5. **NEW BUSINESS**

- A. **Ordinance - 2023-09, Increase in Notice Requirement for Development Agreement Applications.**

Jenny Rowan Presented. This ordinance would change the mailing radius from 200 to 300 feet for Development Agreements.

Commissioner Dillon asked for clarification on the area of the subject property from which the distance is measured and asked why the change was necessary.

Ms. Rowan replied that the reason is for consistency with other notices and deferred to Andrew Morris to address the question of where on the property the area is measured from. Mr. Morris replied that it is information from the Pinellas County Property Appraiser's website using a radius search tool.

There was some discussion among the Commissioners.

Chairman Wyckoff called for a motion at the end of the discussion.

Commissioner Noble moved that Ordinance - 2023-09 pass as written.

Commissioner Dillon seconded.

The motion carried unanimously.

B. Ordinance 2023-10: Alcohol Beverage Permit Application Fee

Andrew Morris Presented. The proposed ordinance removes the exact fee amount from the Madeira Beach Code of Ordinances and instead refers to the fee and collection procedure manual.

This is an administrative change so the ordinance will not need to be changed when there is a fee change.

Chairman Wyckoff called for a motion.

Commissioner Noble made a motion to approve to accept as written.

Commissioner Dillon seconded the motion.

The motion passed without objection.

C. Ordinance 2023-12 Amendment to LDR – Definition of Portable Sign

Jenny Rowan presented. This Ordinance is proposed to follow a federal appeals court ruling. The case states that it is a First Amendment right to carry a non-commercial sign in public areas, including city sidewalks and parks.

Mr. Trask explained that this ordinance is to ensure a code is in place proactively and prevent litigation in the future.

Discussion among the commission ensued, Mr. Trask further explained the difference between commercial and non-commercial sign.

Chairman Wyckoff called for a motion.

Commissioner Noble made a motion to accept the motion as written.

Commissioner Ghovae seconded.

The motion passed unanimously.

D. Ordinance 2023-13, LDC – Rental of Residential Amenities.

Chairman Wyckoff asked if the ordinance covered docks as well. Jenny Rowan stated that docks were discussed at BOC previously and separate ordinance will be brought to cover docks.

Mr. Trask explained that this ordinance is in response to the Swimply app, which allows people to rent out their swimming pools and other amenities on their property such as driveways, yards, etc.

This is a disruption to the neighborhood and a burden on the residents.

Commissioner Noble asked if the ordinance covers parking for events if people wanted to rent out their driveways. Mr. Trask said that would be covered in the code.

Discussion among the commissioners regarding renting driveways for events followed.

Commissioner Ghovae suggested tabling the ordinance to clarify exceptions for special events. The discussion continued, and the question of whether or not it is necessary to cover special events in this ordinance was brought up. Discussion continued on the subject.

Commissioner LaRue stated that we're not sure the dock issue or the special event parking issue is actually happening so it's a non-issue for this ordinance.

More discussion followed, and it was suggested to move forward with a motion.

Commissioner LaRue motioned that Ordinance 2023-13, LDC – Rental of Residential Amenities be approved as written.

Commissioner Connolly seconded the motion.

The motion passed with one 'no' vote.

6. OLD BUSINESS

There was no old business.

7. ADMINISTRATIVE/STAFF PRESENTATION

Tom Trask conducted Sunshine Law Training

8. NEXT MEETING

Next meeting is scheduled for Monday, June 5, 2023, at 6:00 p.m.

9. ADJOURNMENT

Chairman Wyckoff adjourned the meeting at 7:04 p.m.

Respectfully submitted:

Chuck Dillon, 2nd Vice Chair

Date

Lisa Scheuermann, Board Secretary

Date